

# **Santa Barbara Metropolitan Transit District**

## **Federal Transit Administration Areas of Compliance**

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# **Santa Barbara Metropolitan Transit District**

## **Federal Transit Administration Areas of Compliance**

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# **Santa Barbara Metropolitan Transit District**

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### **1. LEGAL**

#### Basic Requirement

The grantee must be eligible and authorized under State and local law to request, receive, and dispense FTA funds and to execute and administer FTA funded projects. The authority to take all necessary action and responsibility on behalf of the grantee must be properly delegated and executed.

#### Areas Examined

- Designation of Recipient
- Annual List of Certifications and Assurances

### **2. FINANCIAL**

#### Basic Requirement

The grantee must demonstrate the ability to match and manage FTA grant funds, cover cost overruns, cover operating deficits through long-term stable and reliable sources of revenue, maintain and operate federally funded facilities and equipment, and conduct an annual independent organization-wide audit in accordance with the provisions of OMB C A-133.

#### Areas Examined

- Financial Capacity
- Funds Management
- Audits

### **3. TECHNICAL**

#### Basic Requirement

The grantee must be able to implement the Urbanized Area Formula Grant Program of Projects in accordance with the grant application, Master Agreement, and all applicable laws and regulations, using sound management practices.

#### Areas Examined

- Grant Administration
- Review of Open Grants
- Force Account Activities
- Capital Leasing

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- Project Management

### **4. SATISFACTORY CONTINUING CONTROL**

#### Basic Requirement

The grantee must maintain control over real property, facilities, and equipment and ensure that they are used in transit service.

#### Areas Examined

- Real Property
- Equipment
- Disposition of Excess Real and Personal Property
- Revenue Vehicles

### **5. MAINTENANCE**

#### Basic Requirement

The grantee must keep federally funded equipment and facilities in good operating order.

#### Areas Examined

- Maintenance Plan and Procedures
- Maintenance Procedures for Accessibility Equipment
- Vehicle/Facility Inspection
- Warranty Tracking System
- Maintenance Standards for Vehicles and Equipment Leased to Providers

### **6. PROCUREMENT**

#### Basic Requirement

FTA grantees will use their own procurement procedures that reflect applicable state and local laws and regulations, provided that the process ensures competitive procurement and that the procedures conform to applicable federal law including 49 CFR Part 18, specifically Section 18.36 and FTA C 4220.1E, "Third Party Contracting Requirements." Grantees will maintain a contract administration system that ensures that contractors perform in accordance with terms, conditions, and specifications of their contracts or purchase orders.

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### Areas Examined

- Certification
- Procurement Standards
- Competition
- Sole Source Procurements
- Bonding
- Options
- Advance Payments and Progress Payments
- Liquidated Damages
- Bus Testing

## **7. DISADVANTAGED BUSINESS ENTERPRISE**

### Basic Requirement

The grantee must comply with the policy of DOT that DBEs, as defined in 49 CFR Part 26, are ensured nondiscrimination in the award and administration of DOT-assisted contracts. Grantees also must create a level playing field on which DBEs can compete fairly for DOT-assisted contracts; ensure that only firms that fully meet eligibility standards are permitted to participate as DBEs; help remove barriers to the participation of DBEs; and assist the development of firms that can compete successfully in the marketplace outside the DBE program.

### Areas Examined

- Designated DBE Officer
- DBE Program
- DBE Goals
- Certification Process
- DBE Complaints

## **8. BUY AMERICA**

### Basic Requirement

Per Buy America law, federal funds may not be obligated unless steel, iron, and manufactured products used in FTA-funded projects are produced in the United States, unless FTA has granted a waiver, or the product is subject to a general waiver. Rolling stock must have sixty percent domestic content and final assembly must take place in the United States.

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### Areas Examined

- Buy America Provisions and Certifications
- Pre-Award and Post-Delivery Audit of Rolling Stock

## **9. SUSPENSION / DEBARMENT**

### Basic Requirement

To prevent fraud, waste, and abuse in federal transactions, persons or entities, which by defined events or behavior, potentially threaten the integrity of federally administered programs, are excluded from participating in FTA-assisted programs. Grantees are required to ensure that none of the grantee's "principals" (as defined in the governing regulation 49 CFR Part 29), subrecipients, and third-party contractors and subcontractors is debarred, suspended, ineligible, or voluntarily excluded from participation in federally assisted transactions.

### Areas Examined

- Disclosure
- Lower-tiered Transactions

## **10. LOBBYING**

### Basic Requirement

Recipients of federal grants and contracts exceeding \$100,000 must certify compliance with Restrictions on Lobbying, before they can receive funds. In addition, grantees are required to impose the lobbying restriction provisions on their contractors.

### Areas Examined

- Certification
- Standard Form LLL

## **11. PLANNING / PROGRAM OF PROJECTS**

### Basic Requirement

The grantee must participate in the transportation planning process in accordance with FTA requirements, Metropolitan Statewide Planning Final Rule, and Management Systems Interim Final Rule (Transportation Planning Regulations [TPR]), as revised.

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### Areas Examined

- Background Information
- Planning Process
- Public Participation Requirements

## **12. TITLE VI (NON-DISCRIMINATION)**

### Basic Requirement

The grantee must ensure that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participating in, or denied the benefits of, or be subject to discrimination under any program, or activity receiving federal financial assistance. The grantee must ensure that federally supported transit services and related benefits are distributed in an equitable manner.

### Areas Examined

- Responsibility for Title VI Coordination
- Approved Title VI Program updates
- Title VI Monitoring Procedures
- Title VI Complaints

## **13. PUBLIC COMMENT PROCESS FOR FARE AND SERVICE CHANGES**

### Basic Requirement

The grantee must have a locally developed process to solicit and consider public comment before raising a fare or carrying out a major reduction of transportation.

### Areas Examined

- Existence and Application of Process to Solicit and Consider Public Comment

## **14. HALF FARE**

### Basic Requirement

Grantees must ensure that elderly persons and persons with disabilities, or an individual presenting a Medicare card, will be charged during non-peak hours for transportation using or involving a facility or equipment of a project financed under Section 5307 not more than 50 percent of the peak hour fare.

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### Areas Examined

- Half Fare During Non-Peak Hours
- Half Fare for Persons with a Medicare Card

## **15. AMERICANS WITH DISABILITIES ACT (ADA)**

### Basic Requirement

Titles II and III of the Americans with Disabilities Act of 1990 provide that no entity shall discriminate against an individual with a disability in connection with the provision of transportation service. The law sets forth specific requirements for vehicle and facility accessibility and the provision of complementary paratransit service.

### Areas Examined

- Paratransit as a Complement to Fixed-Route Service
- Fixed-Route Provision of Service
- Vehicle Accessibility
- Facility Accessibility
- Maintenance of Accessibility Features & Lift or Ramp Availability
- Complaints/Lawsuits

## **16. CHARTER BUS**

### **MTD does not operate charter service**

### Basic Requirement

FTA grantees are prohibited from using federally funded equipment and facilities to provide charter service except on an incidental basis and when one or more of applicable exceptions for urban areas set forth in the charter service regulation at 49 CFR 604.9 (b) applies.

### Areas Examined

- Charter Service Operation
- Proof that Charter Service is Incidental
- Complaints
- Use of Locally-Owned Vehicles



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### **17. SCHOOL BUS**

**MTD Line 19 Boosters are exempt "tripper service"**

#### Basic Requirement

FTA grantees are prohibited from providing exclusive school bus service unless it qualifies under specified exceptions. In no case can federally funded equipment or facilities be used.

#### Areas Examined

- School Bus Service
- Tripper Service

### **18. NATIONAL TRANSIT DATABASE**

#### Basic Requirement

The grantee must collect, record, and report financial and non-financial data in accordance with the Uniform System of Accounts (USOA) and updated with the National Transit Database (NTD) Reporting Manual as required by 49 USC 5335(a).

#### Areas Examined

- Collection, Recording, and Reporting of Data
- Declarations

### **19. SAFETY AND SECURITY**

#### Basic Requirement

Any recipient of Urbanized Area Formula Grant Program funds must annually certify that it is spending one percent of such funds for transit security projects or that such expenditures for security systems are not necessary.

#### Areas Examined

- Safety
- Security and Emergency Preparedness

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### **20. DRUG-FREE WORKPLACE**

#### Basic Requirement

FTA grantees are required to maintain a drug-free workplace for all employees and to have an ongoing drug-free awareness program.

#### Areas Examined

- Publication and distribution of a written policy on substance abuse
- Establishment of an on-going, drug-free workplace
- Establishment of an employee education program
- Requirement that employee notify grantee of workplace conviction
- Requirement that grantee notify FTA of notification from employee
- Requirement that grantee impose sanctions on convicted employee

### **21. DRUG AND ALCOHOL PROGRAM**

#### Basic Requirement

Grantees receiving FTA funds under Capital Grant, Urbanized Area Formula Grant, or Non-Urbanized Area Formula Grant Programs must have a drug and alcohol testing program in place for all safety-sensitive employees.

#### Areas Examined

- Policy statement on prohibited drug use and alcohol misuse in the workplace
- Types of tests and substances
- Rate of random testing
- Post-accident determinations
- Monitoring contractors and subrecipients with safety-sensitive employees
- Monitoring program vendors

### **22. EQUAL EMPLOYMENT OPPORTUNITY (EEO)**

#### Basic Requirement

The grantee must ensure that no person in the United States shall on the grounds of race, color, creed, national origin, sex, age, or disability be excluded from participating in, or denied the benefits of, or be subject to discrimination in employment under any project, program, or activity receiving federal financial assistance from the federal transit laws.

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### Areas Examined

- EEO Program
- EEO Complaints/Lawsuits
- Workforce Utilization
- Title I of ADA

## **23. INTELLIGENT TRANSPORTATION SYSTEMS (ITS) ARCHITECTURE**

### Basic Requirement

Intelligent Transportation Systems (ITS) projects funded by the Highway Trust Fund and the Mass Transit Account must conform to the National ITS Architecture, as well as to United States Department of Transportation (DOT) adopted ITS Standards.

### Areas Examined

- Consistency of ITS projects with regional ITS architecture